

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21319 of 2026

Arising Out of PS. Case No.-46 Year-2026 Thana- NADI P.S. District- Patna

Nisha Kumar S/o- Vakil Sharma @ Vakil Thakur R/v- Jahangir Ps- Raghapur
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-04-2026 Heard Mr.Ravi Ranjan, learned counsel for the
petitioner and Mr.Narsingh Tanti, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
05.02.2026 in connection with Nadi P.S. Case No. 46 of 2026,
F.I.R. dated 04.02.2026 registered for the offence punishable
under Section 30(a) of Bihar Prohibition and Excise Act.

3. Recovery is of 140 liters of country made Mahua
liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. The allegation
as alleged in the FIR is false and fabricated and the petitioner
has not committed any offence as alleged in the FIR. From a
bare perusal of the FIR it appears that nothing has been
recovered from conscious possession of the petitioner rather



the recovery has been made from the motorcycle in question and altogether 140 liters of country made Mahua liquor was recovered from the motorcycle in question and there is non-compliance of Sections 103/105 of BNSS, 2023 and the petitioner is in custody since 05.02.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and petitioner has clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City, Patna in connection with Nadi P.S. Case No. 46 of 2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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